

RESOLUTION NO. 2012-27

ESTABLISHING FIRE CLOSURE FOR LINCOLN COUNTY

WHEREAS, the Board of Lincoln County Commissioners are empowered by Wyoming Statutes 35-9-301 through 35-9-304 to close areas to fire when the fire danger in the county is extreme because of drought, the presence of any excessive amount of flammable material or for any other sufficient reason; and

WHEREAS, the Board of Lincoln County Commissioners are empowered by Wyoming Statute 35-10-208(a)(i) to prohibit the sale to Wyoming residents or use of fireworks by adopting a resolution pursuant to Wyoming Statute 35-9-301; and

WHEREAS, the County Fire Warden has recommended a partial fire closure and prohibition on the use of fireworks on all state and private land within Lincoln County; and

WHEREAS, the Board of Lincoln County Commissioners find there is an extreme danger of fire throughout Lincoln County because of drought conditions and there is a presence of an excessive amounts of flammable materials and the high fire danger is aggravated by open burning and the use of incendiary devices;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF LINCOLN COUNTY COMMISSIONERS:

1. Effective July 1, 2012 at 12:01 a.m. until further notice of this Board, any open fire or discharge of any Class A, B and/or C fireworks is prohibited on all state and private land including, but not limited to, all lands owned by Lincoln County or in which Lincoln County holds or owns an interest, including county roads, easements and rights-of-ways in the unincorporated areas of Lincoln County. The prohibition is subject to the following exceptions:

- a. Trash or refuse burned between the hours of 6:00 p.m. and 8:00 a.m. inside containers equipped with spark arresters that are located within a cleared area that has at least a ten (10) foot radius, and comply with all other laws and requirements.
- b. Camp fires contained within an established fire ring at an established campground provided the fire complies with BLM, Forest Service, and National Park Service regulations in effect at the time.
- c. Charcoal and propane fires within enclosed grills.
- d. Use of acetylene cutting torches or electric arc welders provided the torches or welders are used within a cleared area with at least a ten (10) foot radius.
- e. Propane or open fire branding activities provided the branding activities are conducted within a cleared area with at least a ten (10) foot radius.
- f. Use of chain saws provided the chain saws have spark arresters properly installed and functioning.
- g. Federal, state or local fire or law enforcement officers participating in fire, emergency, and law enforcement activities.
- h. Public-sponsored fireworks displays which are coordinated with the County Fire Warden or his designee.

2. The County Fire Warden shall promptly notify the Board of County Commissioners of any changes in the severity of the fire danger.

BE IT FURTHER RESOLVED, that penalties provided in Wyoming Statute 35-9-304 may be imposed for violations of this resolution; specifically, a fine not to exceed one hundred dollars (\$100.00) or imprisonment not to exceed thirty (30) days or both to which may be added costs of restitution.

BE IT FURTHER RESOLVED, that the County Fire Warden shall immediately notify the Wyoming State Forester of the limitation provided for by this Resolution, as well as any and all subsequent modifications hereto and/or rescission hereof, as required by the Board of Land Commissioners' Rules and Regulations, and shall assist in public notification by posting the order and circulating it to all local media.

PASSED AND APPROVED this 29th day of June, 2012.

BOARD OF LINCOLN COUNTY COMMISSIONERS

K. Connelly

Kent Connelly, Chairman

T. DeWolfley

T. Deb Wolfley

Paul C. Jenkins

Paul C. Jenkins

ATTEST:

Jeanne Wagner
JEANNE WAGNER
LINCOLN COUNTY CLERK